

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Dereck George Parker

Docket No. 5:07-CR-151-1BO

Petition for Action on Supervised Release

COMES NOW Thomas E. Sheppard, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dereck George Parker, who, upon an earlier plea of guilty to Felon in Possession of Firearm and Ammunition in violation of 18 U.S.C. §922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 1, 2008, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program for vocational training program.

Dereck George Parker was released from custody on March 22, 2010, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted a urine specimen on October 6, 2011, which tested positive for marijuana. He has also repeatedly failed to report for drug testing. Additionally, he has not submitted monthly supervision reports as required. He was referred for outpatient treatment on May 23, 2011. We recommend modifying the conditions of supervised release to include cognitive behavioral therapy and that he participate in that therapy in lieu of serving a 10-day DROPS sanction.

The defendant was convicted of Indecent Liberties with a Child in 2002. Per our district policy, we recommend modifying the conditions of supervised release to include required participation in the NCE Sex Offender Program and a warrantless search condition.

The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in mental health/sex offender treatment, evaluation testing, clinical polygraphs and other assessment instruments as directed by the probation officer. While under supervision in the Eastern District of North Carolina, the defendant shall further abide by the rules and regulations of the NCE Sex Offender Program.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
3. The defendant shall submit to a search of his person, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time, with or without a warrant. The search may be conducted by any law enforcement officer or probation officer with reasonable suspicion concerning a violation of a condition of supervision or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Thomas E. Sheppard
Thomas E. Sheppard
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: October 12, 2011

ORDER OF COURT

Considered and ordered this 17 day of October, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge